

SENATE BILL No. 76

January 28, 2003, Introduced by Senator SWITALSKI and referred to the Committee on Finance.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
by amending section 311 (MCL 206.311), as amended by 1987 PA
254.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 311. (1) The taxpayer on or before the due date set
2 for the filing of a return or the payment of the tax, except as
3 otherwise provided in this act, shall make out a return in the
4 form and content as prescribed by the commissioner, verify the
5 return, and transmit it, together with a remittance of the amount
6 of the tax, to the department.

7 (2) The commissioner, upon application of the taxpayer and
8 for good cause shown, may extend under prescribed conditions the
9 time for filing the annual or final return required by this act.
10 Before the original due date, the taxpayer shall remit with an

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1 application for extension the estimated tax due. In computing
2 the tax due for the tax year, interest at the rate established
3 in, and penalties imposed by, section 23 of ~~Act No. 122 of the~~
4 ~~Public Acts of 1941, as amended, being section 205.23 of the~~
5 ~~Michigan Compiled Laws~~ **1941 PA 122, MCL 205.23**, shall be added
6 to the amount of tax unpaid for the period of the extension. The
7 commissioner may require a tentative return and payment of an
8 estimated tax.

9 (3) Taxpayers who are husband and wife and who file a joint
10 federal income tax return pursuant to the internal revenue code
11 shall file a joint return.

12 (4) When the taxpayer has been granted an extension or
13 extensions of time within which to file a final federal return
14 for a ~~taxable~~ **tax** year, the filing of a copy of the extension
15 or extensions automatically extends the due date of the final
16 return under this act for an equivalent period. The taxpayer
17 shall remit with the copy of the extension or extensions the
18 estimated tax due. In computing the tax due for the tax year,
19 interest at the rate established in, and penalties imposed by,
20 section 23 of ~~Act No. 122 of the Public Acts of 1941~~ **1941 PA**
21 **122, MCL 205.23**, shall be added to the amount of tax unpaid for
22 the period of the extension.

23 (5) **For tax years that begin after December 31, 2002, the**
24 **department shall develop a 1040 PC annual return form and**
25 **implement a 1040 PC filing option. Only taxpayers who were**
26 **residents of this state for the entire tax year and who claim no**
27 **credits under this act for a tax year are eligible to file using**

1 the 1040 PC annual return form for that tax year. The 1040 PC
2 annual return form shall be the size of a postcard and include
3 only the following items:

4 (a) The name, address, social security number, and school
5 district designation of the taxpayer or taxpayers filing the
6 return.

7 (b) The total number and the amount of personal and
8 dependency exemptions claimed by the taxpayer or taxpayers for
9 the tax year. The formula and a worksheet for determining the
10 personal and dependency exemptions for taxpayers that file the
11 1040 PC annual return shall be printed in the instruction booklet
12 for the annual return and not printed on the return.

13 (c) Total adjusted gross income from the taxpayer's or
14 taxpayers' federal annual return.

15 (d) Taxable income.

16 (e) The income tax rate and multiplier.

17 (f) The tax owed.

18 (g) The amount of tax withheld.

19 (h) The amount of tax due to this state or to be refunded to
20 the taxpayer or taxpayers. There shall be only 1 line on the
21 1040 PC annual return form to designate the amounts under this
22 subdivision.

23 (i) A signature, date, and declaration that the information
24 provided is true and complete. The information required under
25 this subdivision shall be on no more than 2 lines.